

CASCADE COUNTY COMMISSION MEETING
November 12, 2019
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 A.M.

Commission
Journal #59

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in **red**, and will direct you to the precise location should you wish to review a specific agenda item audio segment. These are in draft form until officially approved on November 26, 2019.

Commission: Commissioner James L. Larson and Commissioner Jane Weber
Excused: Chairman Joe Briggs

Staff: Faye McWilliams – Clerk of Court, Sandor Hopkins – Interim Planning Director, Sheriff Jesse Slaughter, Carey Ann Haight – Deputy County Attorney, Mary Embleton – Budget Officer, Sean Higginbotham – IT Director, Rina Fontana Moore – Clerk & Recorder, Trisha Gardner – Interim Prevention Services Manager, Diane Brien – Accounting, District Judge John Parker, Anna Ehnes – Planner, Lisa Goff – CASA CAN Bonnie Fogerty – Commission Office, Marie Johnson and Kyler Baker – Deputy Clerk & Records

Public: Kami Stone, Sean McKay, Sahrita Jones-Jessee, Douglas Miller, Becci Dellinger, Amanda Ball, Lloyan Faulkner, Keely Cheff, Sherrie Arey, Laura Boldstad, Carrie Galvez, Kim Sletten, Micaela Stroop, Tanya Houston – Alluvion, Kevin May, Rachel Benson, Alan Scanlon and Julie Scanlon, Eileen Hyndman and Phil Nappo.

Call to Order: Commissioner Larson called the meeting to order.

Reading of the Commissioners' calendar: Bonnie Fogerty read the calendar. **00:25**

Purchase orders and accounts payable checks: *See agenda for payment information.* Commissioner Weber made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 2-0 03:13**

Proclamation: Recognizing November 23, 2019 as “Adoption Day” in Cascade County. **03:47**

Commissioner Weber read and presented the proclamation. **03:51**
District Judge John Parker comments. **04:27**

Consent agenda: Routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for separate discussion/vote.
Approval of the Minutes and Consent Agenda Items: Commissioner Weber made a **MOTION** to (A) Approve minute entries (October 22, 2019; October 31, 2019; November 6, 2019) **09:25** (B) Approval of Routine Contracts as Follows:

Consent Agenda

Resolution 19-66: Prosecutorial Assistance in the matter of *State v. Sherbondy*, ADC-18-775. **09:38**

Resolution 19-67: Prosecutorial Assistance in the matter of *State v. Mountainchief*, ADC-18-776. **09:49**

Contract 19-175: Memorandum of Understanding between the US Marshals Service Violent Offender Task Force and the Sheriff's Office. Purpose: Investigate and arrest persons who have active state and federal warrant for their arrest with joint effort. Effective: Date of Signing until terminated by either party (*No Cost to the County*) **10:00**

Contract 19-176: Collective Bargaining Agreement by and between Cascade County & AFSCME MT Council 9 Local #28. (Adult Detention Officers) Effective: July 1, 2019 – June 30, 2021 **10:20**

Contract 19-177: Zuercher End User License Agreement (EULA), Securus Interface for the Sheriff's Office. EULA will provide one-way interface from Zuercher Jail to export inmate demographic data for Securus Inmate phone interface. License Fee: \$7,560.00 **10:41**

City-County Health Department

Resolution 19-68: Budget Appropriation within the Public Health Systems Improvement Program to increase funds offset by grant revenues. Total Increase: \$7,500.00 **11:03**

Resolution 19-69: Budget Appropriation within the HIV Early Intervention Services Program to increase funds offset by grant revenues. Total Increase: \$18,300.00
(*Ref: Contract 19-148, Task Order 17-07-4-51-109-0, R0377780*) **11:14**

Resolution 19-70: Budget Appropriation within the Montana CONNECT Program Fund #2855-400 increasing funds by \$45,000 and decreasing the Cancer Program Funds #2966 by \$45,000. A new department for the Connect Program was established for tracking purposes.
(*Ref: Contract 19-78, Task Order 20-07-3-01-002-0, R0373507*) **11:39**

Contract 19-172: 360 Office Solutions Equipment Maintenance Agreement for maintenance on Kyocera 2553ci copy machine. Effective: October 10, 2019 – October 9, 2020
Cost: \$0.01 black & white/\$0.05 color copies **12:14**
Undersheriff Cory Reeves states that Contract 19-177 cost will be reimbursed to the County. **12:47**

Motion Carries 2-0 13:26

AGENDA ITEM #1 13:37

Motion to Approve or Disapprove:

Resolution 19-71: Appointment: Clerk of Court

Commissioner Weber comments and thanks Clerk of Court Faye McWilliams for her services. Also states that the person who is appointed will have to run for election in 2020.

14:01

Commissioner Weber made a **MOTION** to approve Resolution 19-71, formally accepting the resignation of Faye McWilliams as Clerk of the Cascade County Eighth Judicial District Court effective January 2, 2020 and appointing Tina Henry as her replacement, effective January 2, 2020. **16:44**

Commissioner Larson states that all three applicants were very qualified for the position and also thanks Clerk of Court Faye McWilliams for her many years of service. **17:37**

Motion carries 2-0 18:27

AGENDA ITEM #2 18:53 *(See Exhibit A)*

Motion to Approve or Disapprove:

Preliminary Plat Approval: Shumaker Minor Subdivision

Location: Intersection of Sections 25, 26, 35, and 36, Township 21 North, R2 East, P.M.M.

Initiated by: Doris Shumaker

Sandor Hopkins, Interim Planning Director, elaborates. **19:28**

Commissioner Weber asked if there was any public comment submitted to the Planning Office. **25:46**

Sandor Hopkins, Interim Planning Director, says no comment was received. **25:50**

Commissioner Larson asks Sandor Hopkins to explain condition #8. **26:00**

Sandor Hopkins, Interim Planning Director, elaborates. **26:18**

Kevin May, 1324 13th Avenue SW, states he is available to answer any questions. **27:10**

Commissioner Weber made a **MOTION** that after consideration of the Staff Report and Findings of Fact, adopt said Staff Report and Finding of Fact and approve the Shumaker Minor Subdivision Preliminary Plat subject to the 12 stated conditions. **27:26**

Motion carries 2-0 27:57

AGENDA ITEM #3 28:06

Motion to Approve or Disapprove:

Contract 19-167: Approval to use Cascade County CDBG grant funds to assist Betsy Ethridge with purchasing a manufactured home on Ms. Etheridge's land in Cascade, MT.

Total Grant Amount not to exceed: \$92,728.00

Mary Embleton, Budget Officer, elaborates. **28:56**

Laura Bolstad, 509 1st Ave S, comments. **31:33**

Commissioner Weber states that Commissioner Joe Briggs was involved in the finalizing of this contract even though he will not be voting this today he is very pleased with this project. **32:19**

Commissioner Weber made a **MOTION** to approve Contract #19-176: Amending Contract #15-172, MT-CDBG-NCH-15-02B authorizing grant funding for reimbursement for the project at 321 Mountainview Drive, Cascade, Montana in the amount of \$92,728. **32:37**

Motion carries 2-0 35:34

AGENDA ITEM #4 35:43

Discussion: Regarding Promissory Note and Lease with Alluvion Health.

Commissioner Weber elaborates. **35:58 – 53:40** *(See Exhibit B)*

Commissioner Larson comments. **53:46**

Carey Ann Haight, Deputy County Attorney, comments. **55:15**

Public Participation in decisions of the Board and allowance of public comment on matters the Commission has jurisdiction, on items not covered by today's agenda. (MCA 2-3-103)

Public Comment: Rina Fontana Moore – Clerk and Recorder, 200 13th Street North, commented about Agenda Item #4. **58:47**

Eileen Hyndman, 983 McIver Road, commented on issues about neighboring property.

1:00:26 – 1:04:19

Phil Nappo, 979 McIver Road, commented on issues about neighboring property. **1:004:24 – 1:07:59**

Adjournment: Commissioner Larson adjourned this Commission Meeting at **10:39 a.m.**